IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 31ST JULY 2007 / 9TH SRAVANA 1929

WP(C).No. 23396 of 2007(I)

PETITIONER:

ROSMY KURIACHAN,
HSST JR. (MALAYALAM), ST. MARY'S HSS, ARAKUZHA,
ERNAKULAM DISTRICT, RESIDING AT NELLOLA PAIKAYIL,
KUNINJI P.O., VAZHITHALA, THODUPUZHA.

BY ADV. SRI.THOMAS ABRAHAM
SRI.K.B.ARUNKUMAR

RESPONDENTS:
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1. STATE OF KERALA,
REPRESENTED BY IT'S SECRETARY, GENERAL EDUCATION
DEPARTMENT, GOVERNMENT OF KERALA, SECRETARIAT,
THIRUVANANTHAPURAM.

2. DIRECTOR OF HIGHER SECONDARY EDUCATION,
OFFICE OF THE HIGHER SECONDARY EDUCATION,
HOUSING BOARD BUILDING, SANTHI NAGAR,
THIRUVANANTHAPURAM.

3. SECRETARY,
CORPORATE EDUCATIONAL AGENCY, DIOCESE OF
KOTHAMANGALAM, BISHOP'S HOUSE, KOTHAMANGALAM.

4. PRINCIPAL,
ST. MARY'S HSS, ARAKUZHA, ERNAKULAM DISTRICT.

BY GOVT. PLEADER SRI. A.J. VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. BASHEER, J.

W.P.(C). NO. 23396 OF 2007

Dated this the 31st day of July, 2007

J U D G M E N T

Petitioner is an Higher Secondary School Teacher (Malayalam). Initially she was appointed as a Higher Secondary School Teacher (Junior).

2. According to the petitioner, she was entitled to be posted as Higher Secondary School Teacher (Senior) with effect from July 15, 1999 in view of the available student strength during that academic year. But in Ext.P2 order, petitioner was given promotion only with effect from July 15, 2000. Petitioner has raised several contentions while challenging the order passed by respondent No.2.

3. Anyhow, I do not propose to deal with those contentions at this stage in view of the limited prayer made by learned counsel for the petitioner at the Bar. He submits that petitioner has preferred Ext.P8 representation before respondent No.2 highlighting all the relevant aspects of the issue. The limited prayer is to issue a direction to respondent No.2 to take a decision on Ext.P8 expeditiously.

In the above facts and circumstances, the writ petition is disposed of with a direction to respondent No.2 to consider and pass orders on Ext.P8 strictly on its merit and in accordance with law, as expeditiously as possible, at any rate within three months from the date of receipt of a copy of this judgment. Respondent No.2 shall ensure that petitioner and all others who are likely to be affected by the order that may be passed by him, are afforded sufficient opportunity to be heard before any decision is taken in the matter. Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.2 for compliance.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007